



Discussion Document

Review of New Zealand Companies Office Fees and Levies (2025)

May 2025



MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT
HĪKINA WHAKATUTUKI



NEW ZEALAND
COMPANIES OFFICE

Te Kāwanatanga o Aotearoa
New Zealand Government

Ministry of Business, Innovation and Employment (MBIE)

Hīkina Whakatutuki – Lifting to make successful

MBIE develops and delivers policy, services, advice, and regulation to support economic growth and the prosperity and wellbeing of New Zealanders. MBIE combines the former Ministries of Economic Development, Science and Innovation, and the Departments of Labour and Building and Housing.

MORE INFORMATION

Information, examples, and answers to your questions about the topics covered here can be found on our website: www.mbie.govt.nz or by calling us free on: 0800 20 90 20.

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Review of New Zealand Companies Office Fees and Levies (2025)

How to have your say

Submissions process

The Ministry of Business, Innovation and Employment (MBIE) is seeking written submissions on proposals for fees and levies that would recover the costs of operating the New Zealand Companies Office (the Companies Office) and its associated statutory registers. The Companies Office is a business unit within MBIE.

This discussion document includes some questions you may like to respond to in your submission. The questions are listed in the boxes throughout this document and listed in full in [Appendix 1: Summary of Questions](#). Your submission does not need to answer all these questions. Where possible, please include evidence to support your views, for example, references to facts and figures, or relevant examples.

All fees and levies proposed in this document are **GST exclusive**, unless stated otherwise.

This discussion document is available on MBIE's website here: <https://www.mbie.govt.nz/have-your-say/>

Please send your written submission on the proposals and questions raised in this document by **5.00pm on Friday 13 June 2025**. Please include your name, or the name of your organisation, and contact details. You can make your submission by:

- attaching your submission as a Microsoft Word or PDF attachment and sending to companiesofficesub@mbie.govt.nz; or
- mailing your submission to:
Companies Office Fees and Levies Review
Ministry of Business, Innovation, and Employment
PO Box 1473
Wellington 6140
New Zealand

Please direct any questions you may have about the submission process to:
companiesofficesub@mbie.govt.nz

Next steps and implementation

Once we have considered the submissions, we will develop the final proposals. If these proposals are approved by Cabinet, they will form the basis of revised regulations under the various pieces of legislation that regulate the fees and levies considered in this document. Please see the section *Purpose of this document* for a proposed timeline of key milestones.

Final fees and levies are set to apply from **1 December 2025** unless otherwise stated in this document. You can expect to hear about the final changes to fees and levies before they take effect.

Use of information

The information provided in the submissions will be used to inform MBIE's proposed final options in its advice to the Minister of Commerce and Consumer Affairs. We may contact submitters directly if we require clarification of any matters in submissions.

Except for material that may be defamatory, MBIE may post PDF copies of submissions received to the MBIE website at www.mbie.govt.nz. By making a submission, we will consider that you have agreed to us posting your submission on the MBIE website, unless you specify otherwise in your submission.

Release of information

Submissions are subject to requests made under the *Official Information Act 1982*. If you object to the release of any information in your submission, please clearly indicate which parts you consider should be withheld and include your reasons for withholding the information. MBIE will consider any objections you note and consult with you when responding to requests under the *Official Information Act 1982*, but MBIE make the final decision on what should be released as required by law.

Please indicate on the front of your submission if it contains confidential information and mark the text accordingly. If you wish to make a submission which includes confidential information, please send us a separate version excluding the relevant information for publication on our website and release as required by law.

Personal information

The *Privacy Act 2020* establishes certain principles with respect to the collection, use and disclosure of personal information about individuals by various agencies, including MBIE. Any personal information you supply to MBIE as part of your submission will only be used to help inform the development of policy advice in relation to this review. Please clearly indicate in your submission if you do not wish your name to be included in any summary of submissions that we may publish. We advise caution on what you include in the free text response. Please do not provide more personal information than is necessary for the purposes of this consultation. Providing this information is optional.

Your personal information will be securely held by MBIE in limited access folders. You have a right to ask for a copy of any personal information we hold about you because of this consultation, and to ask for it to be corrected if you think it is wrong. If you would like to ask for a copy of your information, or to have it corrected, please contact us at companiesofficesub@mbie.govt.nz.

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Purpose of this document

To develop this document MBIE reviewed the current cost of services delivered by the Companies Office, including forecast cost pressures and the fees and levies it currently charges to recover those costs.

The objectives of the review are to ensure that:

- the Companies Office is funded sustainably while ensuring users meet an appropriate portion of the cost given the benefit they receive
- the Companies Office can resource all the functions it is expected to deliver.

This document outlines the proposed changes to fees and levies and key questions to help MBIE understand the impact on your business or organisation.

Proposed timeline for review

Due date	Action
2 May 2025	Release of discussion document
13 June 2025	Deadline for public submissions to MBIE
August 2025	Report to relevant Ministers on submissions and final proposals for changes to fees and levies
September 2025	Seek approval from Cabinet for proposed changes
December 2025	Fees and levies implemented

Guidance considered in this review

This review takes into account existing guidance on setting charges, including the Treasury's [Guidelines for Setting Charges in the Public Sector](#) and the Office of the Auditor General's (OAG) [Good practice guide: Setting and administering fees and levies for cost recovery](#). The principles of cost recovery set out in the guidance are reflected in the options for adjusting fees and levies, where relevant.

How to use this document

The remainder of this document is structured in 5 sections with 3 appendices.

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Overview

Section 1: Summary of the review and proposals

The Companies Office performs an important role

The Companies Office administers a portfolio of ‘economy-supporting’ registers established by various Acts of Parliament. The Acts and associated regulations set out the obligations of businesses or entities who are registered and the functions of each Registrar. Regulations prescribe the fees and levies to be paid by users to recover the costs of operating the registers.

The Companies Office helps ensure that those ‘doing business’ in New Zealand are registered and accountable to the law, and that information about them is publicly available. It oversees New Zealand's core business information through the New Zealand Business Number (NZBN) register. Its functions are critical in building trust and confidence in our economy, helping to make New Zealand a place where doing business is easy, transparent, and fair.

Why do fees and levies need to be reviewed?

Most services (like filing an annual return or registering an entity) provided by the Companies Office are funded on a ‘user-pays’ basis through 2 types of third-party charges:

- **Fees** – that are collected to fund specific services (eg filing an annual return on a particular register); and
- **Levies** – that are collected and allocated to broader functions where they provide benefits to a ‘club’ of users (eg for regulatory oversight by the Companies Office).¹

Treasury and OAG guidance recommends that when the government sets fees and levies, it should do so at a rate that is no more than the amount necessary to recover costs incurred in providing the services to which they relate. However, because costs can change, it is important that fees and levies are regularly reviewed to check that they are covering costs and not resulting in over-recovery or under-recovery of costs and any fee adjustments made.

The Companies Office reviews fees and levies every 3 to 5 years to ensure an appropriate amount of cost recovery. In the last review in 2017, fees were set to recover less than the cost required to operate, to account for a level of over-recovery in previous years. This fluctuation in cost recovery is monitored through the *Commerce and Consumer Affairs: Registration and Provision of Statutory Information* memorandum account (the memorandum account).²

Costs pressures considered in this review

The modelling of costs and the proposed fees and levies in this review have considered the current budget for the Companies Office registry services in the context of the shift of costs between registers from the overall position in 2017. The review found that the general inflationary pressures

¹ Where a service or activity is provided and charged to a group of individuals that all benefit from it as a ‘club good’.

² A memorandum account is used by government to monitor expenditure and revenue from third-party fees and levies, usually over a 5-year period, to ensure that large fluctuations in fee amounts are avoided over time and that the overall balance trends towards zero. This memorandum account’s purpose is limited to the administration of legislation providing for the registration and provision of documents and information services for businesses and other registry services. Section 2 of this document outlines the function and status of the Companies Office memorandum account.

and other significant IT system upgrades can no longer also be absorbed within the current Companies Office budget. The cost model has incorporated savings in MBIE support cost as part of the government-wide savings initiative included in Budget 2024.

Increasing compliance and enforcement work

The Companies Office has monitored an increase in non-compliance relating to the Companies register. As a result, it should undertake more compliance and enforcement work in response to the growing complexity of non-compliance, including increasing director prohibitions and related Court proceedings. The Companies Office must also begin a programme of information and education to inform stakeholders (eg registry users – entities that are registered on 1 of the Companies Office registers) about recent legislative changes and their impacts (eg the introduction of the Incorporated Societies Act 2022) as well as undertake related compliance and enforcement work in those areas. Without further expenditure in these areas there is a risk that the Companies Office may not be able to take appropriate action, which could lead to a loss of integrity to the system and potential harm to the community.

Likely future infrastructure cost pressures

The Companies Office anticipates that over the next 3-to-5 years, aging systems require maintenance and improvement to ensure it continues to offer quality service delivery (eg improvements are planned to the Disclose register). MBIE also has a medium-term technology strategy to move from capital-based information technology (IT) systems to Software as a Service (SaaS) subscription-based services.³ Improvements to Companies Office register IT systems will focus on maintaining economies of scale within the base IT infrastructure to ensure that benefits are realised within any future significant changes to the registry system.

However, any significant future transformation of the Companies Office registry system would include public consultation as part of the business case development and consider any impacts on cost recovery settings.

What is within the scope of the review?

All fees and levies collected from third parties by the Companies Office across the registers set out in Figure 1 are within the scope of this review, with some exceptions.⁴ These registers are grouped according to 2 purposes.

Figure 1: Registers in scope of the review

Entity registers that record entities formed	• Companies • Incorporated Societies • Limited Partnerships • Friendly Societies • Credit Unions • Building Societies
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³ SaaS is a software licensing and delivery model that allows users to connect and use centrally hosted cloud-based applications over the internet on an on-demand, subscription basis.

⁴ The Companies Office also supports Crown-funded registers (meaning the Government provides revenue directly to meet costs). Fees and levies are not charged to users of these registers, and therefore are not within the scope of this review.

Other registers that support the New Zealand economy more broadly	• Financial Service Providers (FSP) • Personal Property Securities (PPSR) • New Zealand Business Number (NZBN) • Disclose • Auditors • Insolvency Practitioners (IP) • Retirement Villages
--	--

The following regimes, registers or fees are not within the scope of this review:

- costs funded by the Crown – eg the Charitable Trust Boards register and sole traders applying for an NZBN;
- levies set to recover the costs of the Financial Markets Authority (FMA) or External Reporting Board (XRB);
- the Climate-related Disclosures regime and associated filing fee – this register came into force in January 2024, with fees set by regulations in October 2023; and
- late filing fees and infringement fees – these are penalty charges and not considered to be cost recovery.

What are the proposals?

In summary, this document proposes:

- **A clearer and fairer cost recovery structure to enable full cost recovery** which utilises:
 - levies (to recover the shared costs of the system); and
 - fees (to recover the remaining costs of specific registry services).
- **An increase of \$6 million in the Companies Office annual expenditure budget** to meet identified forecast cost pressures including the need to make incremental upgrades to aging registry systems and undertake compliance, enforcement and education activities including those related to recent legislative changes.
- **2 new levies which meet some costs which have previously been met by fees:**
 - a Companies Office levy (CO levy); and
 - a New Zealand Business Number levy (NZBN levy).
- **3 new fees for incorporated societies** for new functions under the *Incorporated Societies Act 2022*:
 - annual return fee;
 - amalgamation fee; and
 - conversion fee.
- **Adjustments to fees, where required, across all registers** and revoking some fees for services that are no longer provided for some registers.

How will the proposals affect businesses and entities?

All proposed charges have been developed to make the best use of the money collected from users and provide a clearer understanding of what users are paying for. For some entities, this means that the total amount they pay annually will stay largely the same. Others may need to pay for services that they have not been charged for in the past which may mean a slight increase in existing fees, or new fees.

MBIE recognises that entities are facing rising costs of operating and ongoing economic impacts. We have taken these cost pressures into consideration in developing proposals and tried to ensure that fees and levies are fair and reasonable for users within the current economic environment. In some cases there are higher increases, however, it is important to note these increases are still below the rate of general inflation since fees were last adjusted in 2017.

Levies are outlined in [Section 4](#). New and existing fees are outlined register-by-register in [Section 5](#). A summary of all Companies Office unit costs, proposed fees and levies (including the total proposed charge where fees and levies are charged at the same time), and the current fees and levies are included in [Appendix 2](#).

How will the proposals affect consumers?

Given the scale of any increases to charges payable, the Companies Office does not anticipate the cost of any increase being passed on to consumers in a noticeable way.

Section 2: Companies Office funding

The objectives of the Companies Office

The Government has set a priority to grow economic prosperity and foster a dynamic, productive and competitive economy. MBIE promotes this vision through its strategic intention of working towards the outcome of a dynamic business environment that fosters innovation and international connections.⁵

In delivering registry services, the Companies Office has 2 main objectives:

- to facilitate the ease of doing business in New Zealand by providing easy-to-use registers and easily accessible information; and
- to maintain confidence in the registers it administers through a focus on integrity and taking enforcement action where this is necessary.

The Companies Office contributes to protecting New Zealand businesses and consumers by building confidence and helping to keep the market free from entities and individuals who do not comply with the law. Well-functioning and trusted markets are essential to ensure an efficient and transparent New Zealand business environment that in turn helps grow New Zealand for all.⁶

In managing all its registers, the Companies Office aims to provide customer-focused, fair, regulatory-driven registers that are supported by quality management systems and focused on excellence. Its approach to compliance is risk and evidence-based, with a preference to educate first wherever possible.

Current revenue and expenditure

The total current budget of the Companies Office is approximately \$37 million per year of which approximately \$0.8 million is funded by the Crown. This leaves approximately \$36 million per year to be recovered from fees and levies. Table 1 on the next page shows the types of costs incurred and the revenue collected by each register since the last review in 2017.

⁵ (MBIE, 2021) MBIE Strategic Intentions 2021-2025 <https://www.mbie.govt.nz/assets/strategic-intentions-2021-2025.pdf>

⁶ MBIE's purpose is to 'grow New Zealand for all' <https://www.mbie.govt.nz/about/who-we-are/>

Table 1: Companies Office actual or forecast expenditure and revenue FY 2018/19 – 2024/25

(\$000)							
Financial year	Actual 2018/19	Actual 2019/20	Actual 2020/21	Actual 2021/22	Actual 2022/23	Actual 2023/24	Forecast 2024/25
Total revenue by register	29,470	28,746	32,627	30,706	32,227	32,641	32,521
Companies, limited partnerships, NZBN	16,839	16,405	18,740	18,067	19,133	19,264	19,371
Incorporated societies	116	101	116	143	175	168	107
Friendly societies, credit unions, building societies	6	5	5	4	5	4	4
Retirement villages	280	284	347	256	350	398	350
Disclose	989	943	1,051	994	910	1,056	968
Financial service providers	1,472	1,724	1,978	1,404	1,422	1,414	1,382
PPSR	9,003	8,519	9,095	8,593	8,937	8,965	8,904
Auditors and insolvency practitioners	30	45	571	709	714	724	723
Financial reporting filing	511	446	543	486	531	514	542
Other	224	274	181	50	50	134	170
Total fees/levies funded expenditure	30,696	35,461	34,063	33,398	38,324	35,527	35,692
Personnel	7,246	8,691	7,830	7,289	7,442	7,785	7,617
Other operating	6,766	7,597	6,607	3,759	8,221	6,982	8,288
Depreciation	3,753	4,772	4,848	5,312	4,592	3,046	2,450
Capital charge	678	1,165	787	1,030	728	681	627
MBIE functional support	12,253	13,236	13,991	16,008	17,341	17,033	16,710
Surplus/(Deficit)	(1,226)	(6,715)	(1,436)	(2,692)	(6,097)	(2,886)	(3,171)
Memorandum account balance as of 30 June	18,017	11,302	9,866	7,174	1,077	(1,809)	(4,980)

Monitoring revenue and expenditure: tracking the memorandum account

The Companies Office uses the memorandum account to track the annual revenue and expenditure associated with providing services to users of each of its registers that are not funded by the Crown. The memorandum account records the annual surplus or deficit to provide a cumulative balance over time. It is monitored for when changes will be required to the cost recovery settings (the structure and amount of fees and levies) and to ensure that recurring surpluses or deficits are kept to a minimum. This practice is in-line with Treasury and OAG cost recovery guidance. The 3-to-5-year frequency of reviews of cost recovery and resulting adjustments to fees and levies provides entities with a level of certainty that fee and levy amounts will not fluctuate annually and allows them to plan accordingly for any changes.

Fluctuations between surplus and deficit are expected over time (shown year-to-year in Table 1). Many of the Companies Office services are demand driven, and economic shocks such as the recent COVID-19 pandemic, can impact the demand for service across the Companies Office registers. In 2017, the memorandum account showed an accumulated surplus of \$19.243 million. Therefore, the

2017 fees and levy review resulted in some fees being set below cost recovery to reduce this surplus over time. As at 30 June 2024, the memorandum account balance reached a deficit of \$1.809 million and forecast to continue to decline by approximately \$3.0 million per year unless charges are updated.

Why the current level of fees cannot be maintained

Without any change to fees, MBIE would need to either seek a capital injection or fund the deficit from its cash reserves. Funding from cash reserves is not sustainable overtime, as it would compromise MBIE's capital investment plan. A capital injection would need to be considered by Cabinet in the wider context of investment across New Zealand.

Proposed additional expenditure

The review of the cost model has identified a level of savings to cover increased costs in other areas (eg savings in personnel reprioritised to offset other types of expenditure). The proposed fees and levies in this document incorporate a proposed increase of \$6.0 million to the Companies Office budget above this reprioritisation exercise. This increase would meet new cost pressures, improve the types of operational services provided and maintain the integrity of the Companies Office registry regime within the next 3-to-5 years.

The increased budget would be applied to the 4 categories of cost pressures below.

IT Infrastructure upgrades to ensure continued functionality and security (\$3.0 million)

\$3.0 million will be applied to required IT spending to cover the cost of essential security and maintenance upgrades to the existing IT systems (primarily supporting the Disclose register). Costs include appropriate resourcing to meet current IT standards, improving the efficiency of registration and renewal processes for customers and enhancing cyber security measures to minimise the risk of cyber-attacks. Improvements to IT systems will simplify registration and payment, as well as the statutory declaration and disclosure processes, which will improve the overall processing of online applications and renewals.

MBIE IT functional support (\$0.250 million)

\$0.250 million will be applied to additional MBIE IT functional support costs for IT platforms shared across MBIE. MBIE has recently integrated several IT platforms shared by the Companies Office registry systems to the cloud (including migration of register websites). The integrations and migrations aim to eliminate security and continuity risks and improve technical resilience but have resulted in an additional operating expenditure to the registers managed by the Companies Office.

Expanding education and awareness activities (\$0.750 million)

\$0.750 million will be applied to working with existing incorporated societies to help them understand their new obligations under the *Incorporated Societies Act 2022* (which came into effect on 5 October 2023) over the next 3 years. Work will also focus on improving how incorporated societies interact with the registry system.

Improving enforcement programme (\$2.0 million)

\$2.0 million will be applied to enforcement activities and programmes across the suite of registers that help to encourage market compliance and combat harmful phoenixing and other poor business practices:

- Further funding will allow an increase in enforcement against companies and directors who are not complying with the law, which will have a positive impact on the marketplace.
- New and amended legislation will result in a widening of enforcement activities that will need to be undertaken by the Companies Office Integrity and Enforcement Team. For example, the new *Incorporated Societies Act 2022* includes an expanded suite of enforcement tools which will require additional full-time positions to be effectively administered. New provisions within this Act are more aligned with those set out in the *Companies Act 1993* (the Companies Act), spanning infringement notices and prohibition of office holders through to prosecution.
- There has been an increase in the complexity of matters referred to the Registrar of Companies relating to director prohibitions, which provide protection for the public from company directors who have been dishonest, incompetent or irresponsible. More high-profile directors of multiple companies are being prohibited where mismanagement has resulted in company failures. There has also been a significant increase in the number of prohibited directors seeking to overturn decisions via appeal proceedings in the civil registry of the High Court. This has led to increased legal expenditure as Crown Law must be engaged to act on behalf of the Registrar of Companies.
- Criminal prosecutions carried out for the Registrar of Companies have also increased in complexity, impacting legal expenditure. More time is spent on preparing matters for Court, as well as extended hearing and trial durations.

Table 2 on the next page details how the additional expenditure would be allocated across the registers as well as how much of it would be recovered through fees and levies. It compares this to the current budget and the scenario where the current budget would be split across the proposed new levies and existing fees with no increase.

Table 2: Impact of new levies and additional \$6 million budget on registers

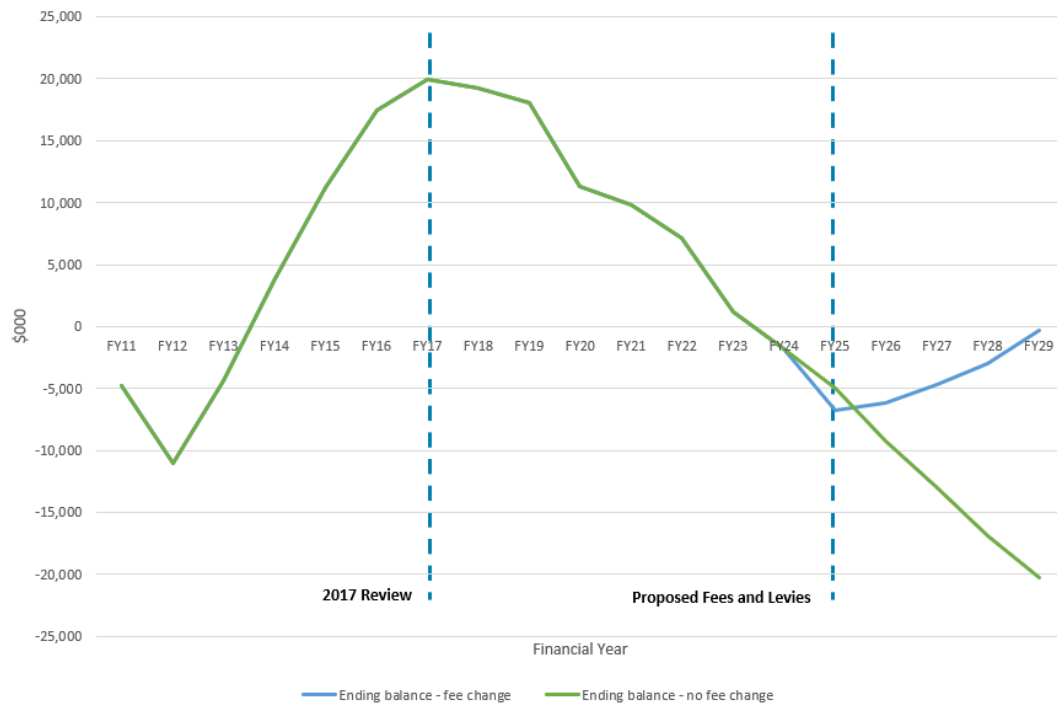
	\$000			
	Current budget	Current budget with proposed levies	Proposed additional budget	Proposed total budget
Expenditure by register				
Companies	12,053	12,053	3,449	15,502
PPSR	6,842	6,842	151	6,993
NZBN	8,008	8,008	700	8,708
Disclose - managed funds	1,286	1,286	525	1,811
Disclose - financial statement filing	809	809	275	1,084
Financial service provider register	2,920	2,920	300	3,220
Limited partnerships	497	497	38	535
Retirement villages	533	533	49	582
Incorporated societies	2,102	2,102	500	2,602
Friendly societies, building societies, and credit unions	134	134	-	134
Insolvency practitioners (IP)	13	13	-	13
IP oversight scheme	663	663	6	669
Auditors	183	183	7	190
Total expenditure budget	36,043	36,043	6,000	42,043
Recovered through				
CO levy	-	9,417	1,449	10,866
NZBN levy	-	8,008	700	8,708
IP levy	663	663	6	669
Fees	35,380	17,955	3,845	21,800
Total revenue	36,043	36,043	6,000	42,043

Forecast position of the memorandum account

Figure 2 on the next page shows the trend of the annual surpluses or deficits resulting from forecasts of existing and proposed fees and levies over financial years. Surpluses and deficits should trend towards zero overtime. There are 2 trends:

- if there is no change in fees, the deficit is forecast to continue (downward trend); and
- if fees and levies are changed as proposed in this document, the memorandum account is forecast to return to a zero balance within 5 years (upward trend).

Figure 2: Memorandum account balance FY 2011 – 2029



Section 3: The basis for setting fees and levies

Proposed fees and levies are set to recover approximately \$42 million annually, considering the proposed increase in budget and any forecast deficit.

A cost allocation model identifies the costs to be recovered

The Companies Office uses a cost allocation model, developed in 2017, to identify the type and amount of costs that need to be recovered from users. The model was derived from an analysis of the type of expenditure, the type of services the Companies Office provides, the time spent by staff on specific services within a specific register (like incorporating a company or filing an annual return), and the volumes they deliver.⁷

The cost allocation model assumes that:

- users benefit from the registry services of the Companies Office and should contribute to their funding through fees;
- any forecast deficit or surplus is accounted for in final fees and levies; and
- fees and levies are set to ensure that, overall, the memorandum account balance trends towards a nil balance within the next 5 years.

The cost allocation process has 3 components, outlined in Figure 3 below.

Figure 3: Components of cost allocation

Costs to be allocated	Cost allocators	Registry services
•The current budget and the additional expenditure required for improvements and the registry activities to be recovered.	•Each cost item (eg salaries, IT support, travel) from the Companies Office financial report is assigned an appropriate cost allocator based on specific assumptions by register. •Personnel costs are split by team and then allocated across the registries and services those teams are responsible for.	•Each cost item is allocated across the registry services based on its assigned cost allocator. •Direct and indirect costs are allocated across services that are to incur a fee. These costs were divided by volumes to get a unit cost. •Volumes used in the cost allocation model are based on an analysis of past data and a forecast of future growth based on economic trends.

⁷ Volumes are the total instances of a specific activity in a year – eg the total number of annual returns filed each year with the Companies Office on the Companies register. Volumes are included in this document where relevant and summarised in [Appendix 3: Forecast annual volumes by register to determine unit costs](#).

Cost recovery principles guide the setting of fees and levies

The way costs are allocated has been informed by general cost recovery guidelines. Three principles set by the Treasury and the OAG have been used to develop and analyse the impact of options for setting fees and levies. The principles recommend that fees and levies to be set in a way that is:⁸

- **justified:** costs recovered through fees and levies should reasonably relate to the services they are charged for, with any indirect costs appropriately included (eg MBIE's technical support costs);
- **efficient:** fees and levies should closely reflect the actual costs needed to provide registry services, so that users experience value-for-money; and
- **equitable:** the Companies Office should ensure that fees and levies are applied and managed so that they are fair for all users of its registry services.

Third-party fees and levies should also be transparent (a 4th principle in the OAG guidelines). Revenue from fees and levies should be correctly accounted for and used appropriately, and the process for developing fees and levies should be clear and easily understood.

Where relevant, these principles have been applied to options for how specific fees and levies could be set to derive the cost recovery impacts (eg which users pay and how often, how much cost is allocated to a fee or a levy, and how it impacts the total amount to be paid to the Companies Office). All proposed fees or levies in this document represent the preferred option, including the proposed additional expenditure of \$6.0 million.

Proposed cost recovery structure: splitting existing costs between fees and levies

A revised cost recovery structure for all registers is proposed, splitting existing and new charges into fees and levies, to better reflect that the Companies Office operates its registers as a system with shared services.

Historically, the Companies Office has recovered the costs of operating all its registers from users through fees. Over time it has introduced shared services (eg personnel and systems that work across registers) to better manage increasing operating costs without significant fee increases. It achieves this by ensuring smaller registers with low volumes of users (eg the Friendly Societies register) do not pay a disproportionate amount to recover the costs of similar services, such as filing an annual return, than larger registers with higher volumes (eg the Companies register). This ensures that users experience the same level of service at a fair and reasonable cost.

Figure 4 on the next page shows how shared services benefit all users of the Companies Office according to cost recovery principles.

⁸ Section 404 of the Companies Act specifically requires any levies that are recovering costs across the Companies Office registry system to be set in regulations according to these 3 principles. It requires that they must be applied "having regard to the cost of administering the whole system of registers, not on the basis of the costs of administering individual registers."

Figure 4: Principles and benefits of shared services

A shared approach enables:	
An organisational structure and operating model, supported by legislative changes to introduce new levies, that produce economies of scale (meaning it is more cost-effective to operate a group of registers as 1 office rather than individually) in the delivery of registry services.	Justified
Any registers and functions to leverage off the existing business processes, technology, and infrastructure, minimising the overall cost.	Efficient
Users of smaller registers (registers with a comparatively low number of users) to benefit from a registry system that includes larger registers, so that fixed costs of providing registers are spread across more users.	Equitable

The *Companies (Levies) Amendment Act 2022* amended the Companies Act to enable the Companies Office to collect levies from its users to recover shared services costs. A levy under the Companies Act allows for money to be collected from specified users of 1 register and be legitimately used to meet the costs of operating any or all registers under 1 Companies Office registry system.⁹ Without introducing a specific levy to recover the costs of providing shared services, smaller registers would experience a significant, exponential increase in their fees.

MBIE proposes that cost recovery is split between fees and levies under a mixed structure to give effect to these legislative changes, where:

- a new levy would recover the shared costs of the registry system to more clearly identify the existing costs of providing shared services, charging them to the appropriate group of users at a fair amount; and
- fees would offset the remaining direct costs of providing specific registry services, offsetting the shared costs recovered through levies paid by specific users.

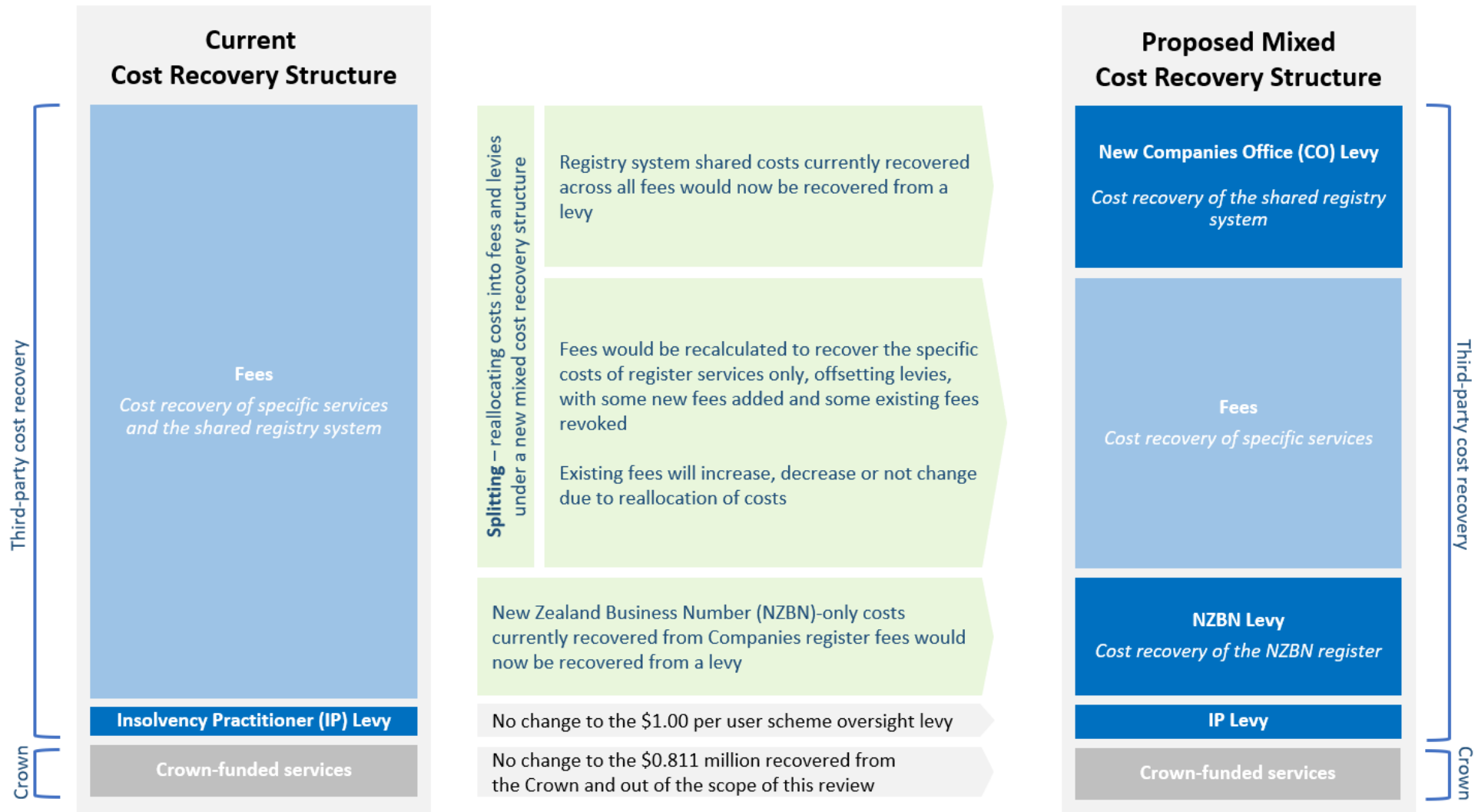
This mixed cost recovery structure would sit alongside other levies that recover the cost of specific club goods, such as the existing Insolvency Practitioner levy and a proposed NZBN levy. [Section 4](#) sets out the proposals for applying and setting the amount of each of the 3 levies.

Figure 5 shows how the current fee-based cost recovery structure will be split across new and existing fees and levies. The overall type of costs, the type of charges that will recover those costs, and the approximate portion of revenue and expenditure for each type of charge are easily identified.

Questions for submitters on proposals for a mixed cost recovery structure:	
1	What is your view on a mixed cost recovery structure of fees (for specific services) and levies (for fixed shared costs), and the types of costs allocated to fees and levies?
2	Are there any other options you would like to see considered to recover shared costs from users?

⁹ Section 404 of the Companies Act, as amended by the *Companies (Levies) Amendment Act 2022*.

Figure 5: Current and proposed mixed cost recovery structure



Proposed options for Companies Office levies and fees

Section 4: Current and proposed levies

Three levies (2 new levies and 1 current levy) with distinct purposes are proposed to recover costs from a group of users across various registers. Table 3 below summarises the proposed levy amounts and level of revenue forecast to be collected from each type.

Table 3: Summary of proposed levies

Levy type	Type of Costs	Current levy (\$)	Proposed levy (\$)	Approximate forecast revenue (\$m)	% of total budget ¹⁰
Companies Office levy	Companies Office shared registry systems	-	15.00	10.9	25%
NZBN levy	NZBN register	-	12.00	8.7	21%
Insolvency Practitioners (IP) levy	IP oversight scheme	1.00	1.00	0.7	2%
Total costs recovered from levies				20.3	48%

Companies Office (CO) levy

A CO levy of \$15.00 is proposed, to be paid once annually by users of entity registers with their incorporation (registration) or annual return fee.

A proposed new CO levy would recover the shared costs (costs of operating the registry system that are not specific to any 1 register) that are currently allocated across existing Companies Office fees.

It is proposed that the CO levy will be paid annually by users of the entity registers.¹¹ For users who incorporate a new entity on 1 of these registers, the levy will be charged alongside the incorporation or registration fee. The levy will be charged in following years alongside the fee for filing an annual return.

By charging users of the entity registers alongside these fees, most Companies Office users will contribute \$15.00 once a year to funding shared services.

This levy allows for a more transparent distinction between the cost of providing specific services and the costs that are shared by all registers, so that users and consumers have an accurate understanding of what they are paying for.

¹⁰ For a total budget of \$42.854 million, which includes \$0.811 million of Crown funding.

¹¹ Companies, incorporated societies, limited partnerships, friendly societies, credit unions and building societies registers.

What costs would the levy be applied to

Of the approximately \$42 million expenditure to be recovered from third parties, approximately \$11 million (25% of the budget) has been identified as shared costs that could be recovered by the levy.¹² A proposed CO levy amount has been developed by dividing this cost by an estimated annual volume of 724,376 (representing registrations and annual return filing on the entity registers).

To determine what costs would be recovered from the CO levy, we considered the shared costs that make up the foundation of a registry system. The types of shared costs are:

- personnel costs for the Companies Office senior management team and education and information team;
- property leases and maintenance;
- depreciation;
- capital charge; and
- MBIE functional support.¹³

How the levy revenue would be allocated to registers and impact fees

The revenue collected from entity register users will be applied to shared (system support) costs across the Companies Office registers, except for services which are recovered from other specific levies. The remaining direct costs to provide specific services within each register will be recovered by register fees proposed in [Section 5](#).

Analysis of options considered for applying a levy

We considered other options for applying a registry system levy under the Companies Act:

- **Charging the levy each time any user (of any of the registers) is required to pay a fee:** this option is not proposed because it is not as equitable as charging alongside an annual return or filing fee. Requiring payment of the levy with all fees would see some users paying the levy more than once a year because they access more services requiring a fee. For example, a company may have to pay a levy when it first registers on the Companies register as well as paying the levy for being registered on the FSP register, and then for each time it subsequently registers a security interest on the PPSR.
- **Not introducing a levy:** this option is not proposed as it will not allow the Companies Office to separate the costs of providing specific services clearly and efficiently from shared costs, making it inequitable for smaller registers by continuing the current fee-based approach for each register. Smaller registers (like the Friendly Societies register and the Incorporated Societies register) and any new, smaller registers would not benefit from the advantage of economies of scale due to their low volumes, and as a result are likely to pay significantly higher fees. This option is unsustainable and does not meet the intent of amendments to the Companies Act in 2022 to provide for the benefits of a system approach to running registers by introducing a levy.

Table 4 below shows how these 2 options do not meet all the principles of cost recovery when compared to the proposed approach of an annual levy on entity registers.

¹² The costs that are related to the IP oversight scheme and the NZBN register will not be recovered from the CO levy as they are recovered from levies in their own right.

¹³ Unlike the NZBN levy and IP levy which recover the costs of discrete functions, these shared costs do not have fixed unit costs. Instead, the CO levy is set, and the levy revenue is then applied to these shared costs.

Table 4: Analysis of proposals for applying a CO levy against principles of cost recovery

	Annual levy on entities	Levy on all fees	No levy
Justified	✓	✓	✗
Efficient	✓	✓	✗
Equitable	✓	✗	✗

3	What is your view on who should be charged the CO levy and the typed of shared costs the levy will recover?
4	What impact will paying an annual levy of \$15.00 have on your business or organisation?

New Zealand Business Number (NZBN) levy

*A new NZBN levy of \$12.00 is proposed, to be paid annually by entities with their registration or annual return fee.
This levy will recover the cost of operating and administering the NZBN register.*

The NZBN register was introduced by the *New Zealand Business Number Act 2016* (NZBN Act) as a government initiative aimed at reducing costs for businesses that interact with government. An NZBN is a unique identifier with key information attached to it about a business that is searchable by the government, businesses, and the public.

The NZBN enables government agencies to readily identify an organisation and coordinate their services to reduce the time businesses spend interacting with government. It also enables the creation of innovative private sector Government-to-Business (G2B) and Business-to-Business (B2B) services including supplying, tendering or contracting to government.

Why entities are only now being charged a separate NZBN levy

When the NZBN Act was implemented, the Companies Office automatically allocated an NZBN to all corporate bodies in New Zealand, including state sector entities, and those registered on a Companies Office entity register (eg companies, incorporated societies and building societies).¹⁴

Government provided a level of funding to the Companies Office for several years to cover the costs of the NZBN and encourage these bodies and entities to register an NZBN. The funding recognised that entities and bodies may have been discouraged from first using an NZBN if they had to pay a fee for its introduction, limiting the uptake of obtaining an NZBN. Once the register was established it was decided that costs would be recovered from third parties. Therefore, since 2017 NZBN register costs have been included within the Companies register fees set in regulations under the Companies Act.

¹⁴ Section 10 of the NZBN Act prescribes entities eligible for an NZBN as corporate, public, or unincorporated entities, who do not already have an NZBN, are not ineligible for an NZBN (eg individuals not registered on the NZBN register as a sole trader or in their personal capacity as a consumer or employee).

In 2019 Parliament decided that the costs of administering the NZBN register should be met from a levy. This proposal implements that decision.¹⁵

Who would pay the levy and when

The NZBN levy would be prescribed for entities who are eligible and have been assigned an NZBN.

It is proposed that the NZBN levy is paid annually by all corporate entities that are registered on a Companies Office entity register and have been allocated an NZBN.¹⁶ Like the proposed CO levy the NZBN levy will be charged alongside the relevant register fee for incorporation or registration, and then for each annual return.

Unincorporated or unregistered entities such as sole traders, partnerships or trusts will not pay the NZBN levy, on the basis that when the NZBN Act was introduced it was decided that costs for maintaining an NZBN register should not be recovered from this group of users. Their proportion of costs will continue to be funded by the Crown.

Cost of the NZBN register to be recovered

Table 5 below shows the type and approximate amount of costs of the NZBN register to be recovered from an NZBN levy.

Table 5: NZBN Register costs

Cost	\$m
Personnel	1.709
IT maintenance and support	2.135
New IT investment	0.700
Education and support	0.871
Depreciation and capital charge	1.834
Other operating costs	0.222
MBIE technical support	1.237
Total cost – levy recovers	8.708

The NZBN levy amount has been derived by dividing the costs by an estimated annual volume of 724,376, representing registrations and annual returns filed on the entity registers who have an NZBN. Table 6 below shows the proposed levy against the unit cost.

Table 6: Proposed NZBN levy

NZBN register	Unit Cost (\$)	Proposed levy (\$)	Current levy
NZBN levy	12.02	12.00	-

The NZBN levy has been set at \$12.00 rather than the unit cost of \$12.02.

Questions for submitters on proposals for the NZBN levy:

5 What is your view on who should be charged the NZBN levy and the costs the levy will recover?

¹⁵ The New Zealand Business Number Funding (Validation and Authorisation) Act 2019.

¹⁶ This includes companies, overseas companies, incorporated societies, limited partnerships, friendly societies, credit unions and building societies.

Insolvency Practitioners (IP) levy

*No change to the current IP levy of \$1.00,
with no change to who pays.*

The *Insolvency Practitioners Regulation Act 2019* introduced a 'co-regulatory licensing regime' to promote quality, expertise and integrity in the profession of insolvency practitioners (IP).¹⁷ The co-regulatory licensing regime means that frontline regulation of insolvency practitioners is carried out by accredited bodies, and that the Registrar of Companies has a role to monitor and report on the adequacy and effectiveness of the systems and processes of regulators.

An IP levy was introduced in September 2020 under the Insolvency Practitioners Regulations 2020 as an annual payment for users on the Companies register only, with a commitment to review the charges in the next full review of the Companies Office fees and levies.

Who will pay the levy and when

The IP levy will continue to be paid annually by companies (New Zealand and overseas) on the Companies register only.¹⁸ All companies receive the same benefit of operating in a business environment with an active oversight scheme that ensures compliance with the statutory duties of insolvency practitioners.

Costs recovered by the levy

Table 7 below shows the type and amount of costs of the IP oversight scheme to be recovered from the existing levy.

Table 7: Costs of the IP oversight scheme

Cost	\$m
Oversight functions	0.282
Enforcement and education	0.229
Other operating costs	0.024
MBIE functional support	0.134
Total cost – levy recovered	0.669

No change proposed to the levy amount

The proposed IP levy has been derived by dividing the cost by the annual volume of 700,247 (representing the number of companies who incorporate or would file an annual return). Table 8 on the next page shows the unit cost of the IP oversight regime.

Table 8: Proposed IP levy

¹⁷ The insolvency practitioners regime is co-regulated between MBIE and accredited industry bodies. This means that all insolvency practitioners are required to hold a licence from an accredited front-line regulator currently the New Zealand Institute of Chartered Accountants (NZICA).

¹⁸ Companies who register under sections 12 and 336 (1) of the Companies Act and file an annual return under sections 214 (1) and 340(1).

IP oversight scheme	Unit Cost (\$)	Proposed levy (\$)	Current levy (\$)	Change in charge (\$)	% change
IP levy	0.96	1.00	1.00	-	-

Section 5: Proposed fees and total charges for all registers

This section sets out the proposed fees given the level of cost to be recovered after levy revenue has been applied to each register. The tables within each subsection show what the total charge for specific register services would be, made up of proposed fees and applicable proposed levies.

Questions have been included, and your feedback is sought for any or all registers.

Index of registers

Entity registers:

[Companies](#)

[Incorporated Societies](#)

[Limited Partnerships](#)

[Friendly Societies](#)

[Credit Unions](#)

[Building Societies](#)

Other registers:¹⁹

[Auditors](#)

[Insolvency Practitioners](#)

[Retirement Villages](#)

[Disclose](#)

[Personal Property Securities](#)

[Financial Service Providers](#)

Other services:

[Financial Statements filing](#)

Questions for submitters on proposals to any or all registers:

7	What impact would the proposed total charge have on your business or organisation?
8	Are there any adjustments to the proposed fees(s) that you think should be reconsidered? If yes, which fee(s) and why?
9	Do you think the reasons for proposed adjustments to the fee(s) are clear and understandable? If not, why not?

Companies

The Companies register is the most comprehensive and searched register administered by the Companies Office. It provides the infrastructure for registered companies and the Registrar of Companies to meet the requirements of the Companies Act. Table 9 on the next page shows the proposed adjustments to current fees paid by companies on the register.

¹⁹ There are no proposed fees for the NZBN register – all costs of the register will be recovered from entities through the proposed NZBN levy.

Table 9: Proposed fees and charges for Companies register services

\$ (excluding GST)							
Companies register	Unit Cost	Proposed fee	Proposed levies	Proposed total charge	Current charge (fee + levy)	Change in charge	% change
Name approval	10.85	11.00	-	11.00	10.00	1.00	10%
Company (New Zealand and overseas) incorporation ^{20*}	55.28	55.00	28.00	83.00	91.00	(8.00)	(9%)
Annual return (New Zealand and overseas) ^{21*}	8.62	9.00	28.00	37.00	22.00	15.00	68%
Annual return – API (New Zealand and overseas) ^{22*}	5.90	6.00	28.00	34.00	19.00	15.00	79%
Amalgamation	742.56	745.00	-	745.00	350.00	395.00	113%
Restoration	225.61	225.00	-	225.00	150.00	75.00	50%

*CO levy \$15.00, NZBN levy \$12.00, IP levy \$1.00

Name approval

This fee was changed from \$8.89 to \$10.00 in 2017. The proposed fee reflects the general increase in the cost of the service since that time.

Company incorporation

Since 2017, a portion of the cost of the NZBN register has been included in the company incorporation fee. These costs will now be recovered within the proposed NZBN levy (see [Section 4: Who would pay the levy and when](#)), removing them from the company incorporation unit cost, resulting in a lower fee.

Annual return

In 2017, the annual return fee was set below cost to significantly reduce the surplus balance in the memorandum account. This fee was reduced at that time because, for the most part, companies had contributed towards this surplus over time due to increasing volumes and a stable cost structure. The NZBN costs previously recovered from the fee have been reapportioned to the NZBN levy, resulting in the proposed fee portion reducing from \$21.00 to \$9.00 (and from \$18.00 to \$6.00 for Annual return - API transactions). The proposed total charge for annual returns now reflects full cost recovery with the fee and inclusion of the NZBN and CO levies resulting in a net increase.

Amalgamation

An increase in the proposed amalgamation fee reflects full cost recovery for this service. The nature of the work required to support this service is labour-intensive. While there are only about 370 amalgamation applications per year, it is important that these applications are reviewed thoroughly,

²⁰ Application to register a company under s12(1) and register an overseas company under s336(1) of the Companies Act.

²¹ Registration of an annual return under s214(1) and overseas company under s340(1) of the Companies Act.

²² Application Processing Interface (API).

requiring significant resource. This service will not attract any levies as they will be charged when the newly formed company pays its annual return fee.

Restoration

The proposed fee is comparatively high because this service requires the Companies Office to consider applications, advertise proposed restorations, and consider any objections that may be received before determining whether a company should be restored. The process across the Companies and Incorporated Societies registers is the same and therefore it is proposed to provide the same fee of \$225.00 for both registers.

Fees to be revoked

Over time Companies Office services have moved from paper-based to online. The Companies Act 1993 Regulations 1994 currently prescribe fees for services that are no longer delivered by the Companies Office or are delivered differently compared to when they were introduced. Table 10 below summarises the fees proposed to be revoked from those regulations.

Table 10: Proposed Companies register fees to be revoked

Description of service	Current fee – \$ (GST exclusive)	Reason for revoking
Photocopy made by the public	0.17	Service no longer provided.
Photocopy made by the Registrar	0.89	Service no longer provided.
For any other electronic search	4.44	This fee was established for web-based searching for finance statements under the <i>Personal Property Securities Act 1999</i> . The service is no longer provided.
Manual search of the Companies register	8.89	Service no longer provided because Companies register is an online register only.

Personal Property Securities

The Personal Property Securities register (PPSR) was established under the *Personal Property Securities Act 1999* to provide an efficient system to register security interests in personal property and for this information to be easily searchable. Table 11 below shows the proposed adjustments to current fees paid for services on the PPSR register.

Table 11: Proposed fees for Personal Property Securities register services

\$ (excluding GST)							
Personal Property Securities register	Unit Cost	Proposed fee	Proposed levies	Proposed total charge	Current charge (fee)	Change in charge	% change
Registration/renewal financing statement	7.88	8.00	-	8.00	14.00	(6.00)	(43%)
Registration/renewal financing statement – API	4.87	5.00	-	5.00	7.00	(2.00)	(29%)
Basic search – internet	1.93	2.00	-	2.00	2.00	-	-
Basic search – API	1.03	1.00	-	1.00	1.00	-	-

Registration and renewal fees (including API)

We propose a decrease in the PPSR registration and renewal fees for single and API transactions. The current fees set in 2017 included a level of IT development cost to replace the register and that work has now been completed. In addition, forecast higher registration and renewal volumes have resulted in a lower unit cost.

Search fee (including API)

Basic internet searches of the PPSR and API searches are charged at different amounts. The unit cost has remained stable with cost increases offset by the increase in volumes. The difference in fees reflects the cost of the search functionality using the API being spread over 3.2 million searches, versus the lower volume of 570,000 public basic searches.

Fees to be revoked

The Personal Property Securities Regulations 2001 currently prescribe fees for services that are no longer delivered by the Companies Office or are delivered differently compared to when they were introduced. Table 12 below summarises the fees proposed to be revoked.

Table 12: Proposed PPSR register fees to be revoked

Description of service	Current fee – \$ (GST exclusive)	Reason for revoking
Verification statement by post	8.89	Service no longer provided.
Certified copy of finance statement	22.22	Service no longer provided. This fee was similarly revoked in 2017 for the Companies register.

Disclose

The Disclose register was established by the *Financial Markets Conduct Act 2013* (FMC Act) and provides for the registration and ongoing reporting obligations relating to offers of financial products and managed investment schemes. Its functions relate to managed investment schemes, other investment offers and financial statement filing.

All fees are proposed to increase, reflecting planned investment in the Disclose register over the next 2 years to upgrade this register and reduced forecast volumes.

The current fees were set in 2014 and were based on the estimated cost and volumes over a 7-year period, which included one-off volumes of schemes being re-registered. Though the cost of the register has remained relatively stable, current annual volumes have declined which has resulted in an increased unit cost.

The proposed fees are based on the unit cost for each service which has been calculated from the average time it takes staff to complete the various services within the register. The unit costs in Table 13 on the next page are then derived from the cost of service divided by the forecast volumes.

The most significant proposed increase is for the lodgment of Product Disclosure Statements (PDS). This increase is due to the additional time now taken to process the requested updates to existing products on the register and various compliance obligations throughout the year.

Table 13: Proposed fees for Disclose register services

\$ (excluding GST)							
Disclose register	Unit Cost	Proposed fee	Proposed levies	Proposed total charge	Current charge (fee)	Change in charge	% change
Disclose: Managed fund offers							
Lodgement of product disclosure statement/limited disclosure statement (per fund)	717.36	720.00	-	720.00	521.74	198.26	38%
Add new fund to existing managed fund offer	717.36	720.00	-	720.00	521.74	198.26	38%
Annual confirmation to managed fund (per fund)	717.36	720.00	-	720.00	521.74	198.26	38%
Disclose: Other financial products							
Lodgement of product disclosure statement/limited disclosure statement (per PDS)	3,749.91	3,750.00	-	3,750.00	2,347.83	1,402.17	60%
Add new PDS to existing offer for other financial product	3,749.91	3,750.00	-	3,750.00	2,347.83	1,402.17	60%
Annual confirmation other financial products (per PDS)	3,749.91	3,750.00	-	3,750.00	2,347.83	1,402.17	60%
Disclose: Managed investment schemes							
Register managed investment scheme	1,247.42	1,245.00	-	1,245.00	673.91	571.09	85%
File scheme annual report	295.32	295.00	-	295.00	239.13	55.87	23%
Disclose: overseas offers							
Offer under Asia region funds passport (per fund)	717.36	720.00	-	720.00	521.74	198.26	38%

Financial Statement filing

Entities that meet certain criteria under the Companies Act, and under the FMC Act are required to file financial statements with the Companies Office. Table 14 on the next page shows the proposed decrease in the financial statement filing fee.

Table 14: Proposed fee for financial statement filing

\$ (excluding GST)							
All applicable registers	Unit Cost	Proposed fee	Proposed levies	Proposed total charge	Current charge (fee)	Change in charge	% change
Financial statement filing	171.36	170.00	-	170.00	175.00	(5.00)	(3%)

Financial Service Providers

The Financial Service Providers (FSP) register was established under the *Financial Service Providers (Registration and Dispute Resolution) Act 2008*.

Several legislative changes have been introduced to the FSP register since its introduction in 2010. In March 2021 significant changes included the implementation of a new financial advice regime and, before that, introduction of new licensed services, such as non-bank deposit takers and insurers and extending the register to include new financial markets, including registered and licenced services such as peer-to-peer lending and crowd funding. Table 15 below shows the proposed adjustments to current services paid for services on the FSP register.

Table 15: Proposed fees for Financial Service Providers register services

\$ (excluding GST)							
Financial Service Providers register	Unit Cost	Proposed fee	Proposed levies	Proposed total charge	Current charge (fee)	Change in charge	% change
Registration	284.39	285.00	-	285.00	300.00	(15.00)	(5%)
Annual renewal	75.61	75.00	-	75.00	75.00	-	-

Registration and annual renewal fees

The additional investment in the register over the past 4 years has resulted in an increase in the overall cost of the register. This recent work to enhance the register has had a positive flow-on effect by creating new system approaches to software development that could be utilised by other registers administered by the Companies Office. For this reason, that benefit for all Companies Office registers has meant that the annual return fee for the FSP register can be maintained at the current level of \$75.00 and the registration fee can be reduced.

Incorporated Societies

The Incorporated Societies register provides the infrastructure for incorporated societies and the Registrar of Incorporated Societies to meet legislative requirements.

The *Incorporated Societies Act 2022* (2022 Act) came fully into force on 5 October 2023 and will co-exist with the *Incorporated Societies Act 1908* (1908 Act) until 5 April 2026 when the latter is revoked.

Societies registered under the 1908 Act will not be subject to the new legislation until they reregister under the 2022 Act. If an existing society does not reregister during the transition period from

5 October 2023 to 5 April 2026, it will cease to be incorporated. In August 2023, Cabinet agreed to set registration and restoration fees under the 2022 Act at the same level as those under the 1908 Act:

- Registration fee: \$88.89; and
- Restoration fee: \$177.78

These fees have now been set in the Incorporated Societies Regulations 2023, which came into force on 5 October 2023, and are intended to cover the period until the new fees and levies are in place.

Fees under the 1908 Act were last updated in 1999. Since then, the overall cost of running the register has increased. This is because electronic functionality of the register has improved, as well as increasing costs related to contact centre support services and services that ensure compliance.

The proposals incorporate education and awareness costs forecasted over the next 4 years related to the introduction of new legislation to ensure existing entities understand their filing obligations under the new 2022 Act (see [Section 3: Proposed additional expenditure](#)). Table 16 below outlines the proposed new fees and levies.

Table 16: Proposed fees for Incorporated Societies register services

\$ (excluding GST)							
Incorporated Societies register	Unit Cost	Proposed fee	Proposed levies	Proposed total charge	Current charge (fee)	Change in charge	% change
Registration*	44.22	45.00	27.00	72.00	88.89	(16.89)	(19%)
Annual return*	9.00	9.00	27.00	36.00	-	36.00	-
Restoration	224.87	225.00	-	225.00	177.78	47.22	27%
Amalgamation	225.00	225.00	-	225.00	-	225.00	-
Conversions to be an incorporated society*	44.22	45.00	27.00	72.00	-	72.00	-

*CO\$15.00, NZBN levy \$12.00

Registration fee

It is proposed that the fee for registration is \$45.00. This is less than the current fee of \$88.89 and reflects the direct costs of registration. The CO and NZBN levies (which would be applied to and annual return registration fees across entity registers) will be applied to this service for a total charge of \$72.00.

Restoration fee

It is proposed that the fee for restoration is \$225.00. This reflects the level of work undertaken to restore an incorporated society to the register as if it had never been removed. This fee is the same as for company restorations. This service will not attract any levies.

Annual return fee – NEW

Under the 2022 Act, incorporated societies will be required to file an annual return for the first time. An annual return fee of \$9.00 is proposed to recover the administrative costs of processing returns. Annual returns were not required to be filed under the 1908 Act, so there is no current fee for this service.

Incorporated societies registered as ‘charities’ with Charities Services under the *Charities Act 2005* do not need to file an annual return with the Companies Office and so will not be required to pay this fee. Charities file their annual return with Charities Services and therefore would pay any annual return fees to the Department of Internal Affairs according to the fees that they charge.

In the same transaction as the annual return fee (which recovers the direct cost of that service) incorporated societies will be charged the \$12.00 NZBN levy and the \$15.00 CO levy, to recover shared system costs, in line with the proposed annual return charges for other entity registers. The proposed total annual return charge is \$36.00.

Amalgamation fee – NEW

Section 191 of the 2022 Act provides for 2 or more societies to amalgamate as 1 society. There was no equivalent provision under the 1908 Act.

As this is a new function, we do not know how much time it will take, although we expect it to be simpler than amalgamating 2 companies for which \$745.00 is charged. We also do not expect there will be many applications to amalgamate, but if 2 or more societies do wish to do so, this should not be prohibitively expensive for them. Therefore, we propose to set the fee at the same level as the restoration fee for an incorporated society of \$225.00.

Conversion fee – NEW

Section 257 of the 2022 Act provides for conversion of a body corporate or other association that is formed or incorporated by or under an Act that is specified by the regulations into an incorporated society. There was no equivalent provision under the 1908 Act.

It is anticipated that the workflow to convert certain entities into an incorporated society is similar to the registration of an incorporated society and therefore the fee is proposed to be set at the same level of \$45.00. As this service forms a new incorporated society, a CO levy and NZBN levy is proposed to be charged in addition to the fee.

Questions for submitters on proposals for the Incorporated Societies register:

10	What effect would the proposed total charge have on your organisation?
11	Are there any adjustments to the proposed fees(s) that you think should be reconsidered? If yes, which fee(s) and why?
12	Do you think the reasons for proposed adjustments to the fee(s) are clear and understandable? If not, why not?

Limited Partnerships

The *Limited Partnerships Act 2008* established a modern regulatory regime for limited partnerships that gives the business community in New Zealand the option of a flexible and internationally recognised business structure, similar to limited partnerships used in overseas jurisdictions. Table 17 on the next page shows the proposed adjustments to the existing limited partnerships registration fee, and the proposed amount for 2 new levies applied to the annual return service.

Table 17: Proposed fee for Limited Partnerships register services

\$ (excluding GST)							
Limited Partnerships register	Unit Cost	Proposed fee	Proposed levies	Proposed total charge	Current charge (fee)	Change in charge	% change
Registration (New Zealand and overseas)*	387.94	388.00	27.00	415.00	217.39	197.61	91%
Annual return (New Zealand and overseas)*	-	-	27.00	27.00	-	27.00	-

* CO Levy \$15, NZBN Levy \$12.00

Registration fee

When the current fee was set in 2012 the number of limited partnerships that register was expected to be in the low hundreds. Over time the recognised benefits of registering as a limited partnership under the *Limited Partnerships Act 2008* have been recognised, with approximately 380 new registrations annually. This in turn has resulted in approximately 4,600 annual returns now being filed. It is proposed that the cost of processing the annual returns is recovered through the registration fee as the *Limited Partnerships Act 2008* does not currently allow a fee to be charged for an annual return service. Accordingly, the charge for registration is proposed to increase from \$217.39 to \$415.00.

Annual return fee

No annual return fee is proposed. However, limited partnerships will be charged the CO and NZBN levies when they file their annual return. The *Limited Partnerships Act 2008* may be reviewed later to include the ability to charge an annual return fee.

Fees to be revoked

The Limited Partnerships Regulations 2008 currently prescribes fees for services that are no longer delivered by the Companies Office or are delivered differently compared to when they were introduced. Table 18 below summarises the fee proposed to be revoked in the regulations.

Table 18: Proposed Limited Partnerships register fee to be revoked

Limited Partnerships register	Current fee – \$ (GST exclusive)	Reason for revoking
Certified copy of finance statement	22.22	Service no longer provided

Currently, regulation 11 of the Limited Partnerships Regulations 2008 refers to how fees and penalties may be paid. We propose that fees and penalties can no longer be paid by cheque, in line with financial service providers and government departments phasing out cheque payments in 2021.²³

²³ For example, the Ministry of Justice stopped processing incoming and outgoing cheques after 31 May 2021: <https://www.justice.govt.nz/about/news-and-media/news/the-ministry-is-phasing-out-payment-by-cheque/>

Building Societies, Friendly Societies and Credit Unions

The Companies Office maintains a series of small registers for building societies, friendly societies and credit unions to meet the requirements of the *Building Societies Act 1965* and the *Friendly Societies and Credit Unions Act 1982* (the Act).

Table 19: Proposed fees for Building Societies, Friendly Societies, and Credit Unions register services

\$ (excluding GST)							
Building Societies register, Friendly Societies register, and Credit Unions register	Unit Cost	Proposed fee	Proposed levies	Proposed total charge	Current charge (fee)	Change in charge	% change
Registration*	149.73	150.00	27.00	177.00	217.39	(40.39)	(19%)
Annual return*	9.01	9.00	27.00	36.00	34.78	1.22	4%
Annual return – friendly society branch*	9.01	9.00	27.00	36.00	34.78	1.22	4%
Registration of an Association of credit unions under section 145(1) of the Friendly Societies and Credit Unions Act*	149.73	150.00	27.00	177.00	355.56	(178.56)	(50%)

*CO levy \$15.00, NZBN levy \$12.00

Registration and annual return fee

The changing business landscape has resulted in less of these types of entities, meaning fewer registrations and annual returns. This review has highlighted that, as the registered number of these types of entities decline, the entities that remain have to cover costs. The annual return fee portion of the total charge is proposed at \$9.00, making this equitable with other entity register annual return fees. It is proposed to align the registration of an association of a credit union with the registration fee for the other registers under the 2 Acts.

Proposed changes specific to Credit Unions and Friendly Societies process fees

Tables 20 and 21 on the next page outline amendments to fees specific to processes for credit unions and friendly societies under the Friendly Societies and Credit Unions Act. These changes are outlined as follows:

For Credit Unions, there are 2 new fees that were enabled under changes to the Act in 2019 (Table 20):

- A new fee for filing a request to remove a credit union under section 140(2)(b) reflects the change to the Act for a dissolution action for credit unions. The existing fee under 82(3) (as applied by section 135(4)) is being revoked. The new fee is based on the cost of dissolution for a friendly society.
- A new fee for filing under section 135C(2) for amalgamations or transfers of the Act.

For Friendly Societies (Table 21) rounding has been applied to a variety of fees other than those in Table 19 to reflect the GST exclusive amount, and then converted back to be GST inclusive for the purpose of inclusion in the new regulations.

No levies are proposed to be added to these services.

Table 20: New Proposed fees for specific Credit Unions register services

\$ (excluding GST)					
Credit Unions register	Unit Cost	Proposed fee	Current fee	Change in fee	% change
For filing, under section 140 (2)(b) the Act, where a request to the Registrar is made to remove the credit union from the register.	311.11	310.00	-	310.00	-
For filing, under section 135C (2) of the Act, a copy of a special resolution passed for the purpose of amalgamation or transfer of engagements.	355.56	350.00	-	350.00	-

Table 21: Proposed fees for specific Friendly Societies register services and rounding

\$ (excluding GST)					
Friendly Societies register	Unit Cost	Proposed fee	Current fee	Change in fee	% change
For filing, under section 82(3) of the Act, a copy of a special resolution passed for the purpose of amalgamation or transfer of engagements or conversion into a company.	133.33	135.00	133.33	1.67	1%
For filing a resolution for conversion of a society into a branch under section 88 of the Act.	177.78	175.00	177.78	(2.78)	(2%)
For any cancellation or suspension of the registration of a society or branch under any of paragraphs (d) to (g) of section 92(1) of the Act.	133.33	135.00	133.33	1.67	1%
For filing an instrument of dissolution under section 94 of the Act.	311.11	310.00	311.11	(1.11)	(0.4%)

Fees to be revoked

The Friendly Societies and Credit Unions (Fees) Regulations 1992 currently prescribe fees for services that are no longer delivered by the Companies Office. Updates are also required to the description of some fees in the Regulations following a change to the Act in 2019. Table 22 on the next page shows the fees proposed to be revoked or to have their description updated in those regulations.

Table 22: Proposed Friendly Societies and Credit Union register fees to be revoked

Friendly Societies and Credit Unions registers	Current fee – \$ (GST exclusive)	Reason for revoking
Copy per page under section 5(4) of the Friendly Societies and Credit Unions (Fees) Regulations 1992.	0.27	Service no longer provided.
Annual return filed more than 3 months after close of the financial year (Part 1 and Part 2 of the Friendly Societies and Credit Unions (Fees) Regulations 1992).	17.78	An overdue fee is not applied to other annual return filings for other registers.
On application for confirmation of an amalgamation, transfer of engagements, or conversion into a company under section 86(1) of the Act	355.56	This service has not been provided in 25 years, as the Registrar has not received an application under this section and it is anticipated that this service can be managed with no additional fee.
For filing an instrument of dissolution under section 94 (as applied by section 140(1)) of the Act.	311.11	Following an amendment to the Act in 2019, credit unions cannot be removed from the register by filing an instrument of dissolution.
For filing, under section 82(3) (as applied by section 135(4) of the Act, a copy of a special resolution passed for the purpose of amalgamation or transfer of engagements.	133.33	The description of the fee in regulations no longer matches the changes made to the Act in 2019.
On application for confirmation of an amalgamation or transfer under section 136(1) of the Act	355.56	The service has not been provided in 25 years. There are only 3 remaining credit unions, therefore it is anticipated that this service can be managed with no additional fee.

Retirement Villages

Retirement villages must register with the Companies Office under the *Retirement Villages Act 2003*. They must also confirm key information and provide financial statements annually. The current fees were last adjusted in 2011.

The fees for retirement villages are made up of 2 components:

- fees paid by retirement village operators to the Registrar of Retirement Villages (the Registrar) to cover all costs incurred from setting up and maintaining the Retirement Villages register along with all duties and functions required by the *Retirement Villages Act 2003*; and
- land transfer fees which enable the Registrar to notify the Registrar-General of Land of a retirement village's registration. The notification is the trigger for the Registrar-General to place a memorial on land titles, providing priority for the rights of residents ahead of the rights of holders of security interests.

Table 23 on the next page shows the proposed adjustments to the 2 components of fee paid by retirement villages. Land transfer fee amounts are not included as they are out of scope of this review, but a change is required to how these are prescribed in regulations.

Table 23: Proposed fees for Retirement Villages register services

\$ (excluding GST)							
Retirement Villages register	Unit Cost	Proposed fee	Proposed levies	Proposed total charge (recovering \$42m)	Current charge (fee)	Change in charge	% change
Registration application	643.05	645.00	-	645.00	782.61	(137.61)	(18%)
Annual return* (< 34 units)	-	370.00	-	370.00	347.83	22.17	6%
Annual return* (35 – 84 units)	634.91	620.00	-	620.00	565.22	54.78	10%
Annual return* (> 85 units)	-	1,270.00	-	1,270.00	1,130.43	139.57	12%

*includes the financial statement filing cost of \$170.00

Registration and application annual return fees

There is currently a single application fee, and fees for the annual return are set using a tiered system based on the number of units available for occupation by residents (i.e. less than 35 units; 35 to 84 units; or more than 85 units).

The overall cost to manage the register has risen since 2007. However, the cost of delivering these services has shifted from being incurred mainly by processing registration applications, to the processing of key information and reviewing financial statements in the form of an annual return. There are fewer than 12 new registrations per year, but approximately 450 annual returns.

When fees were last set in 2011 the cost for the Companies Office to review annual financial statements was not included. It was incorrectly assumed that these costs would be able to be recovered through the financial reporting statement filing fee under the Companies Act. Therefore, the proposed annual return fee now includes the cost of filing financial statements (\$170.00 regardless of the number of units). We propose to increase the annual return fees but reduce the application fee.

We propose that retirement villages continue to pay a tiered annual return fee according to the number of units they have, because it remains more equitable for larger retirement villages to pay a higher fee as they have a larger base by which to recover that cost.

Land transfer fees

It is proposed that sections 4 (b)(c), 6 (a)-(c) and 7 of the Retirement Villages (Fees) Regulations 2006 are amended to refer to fees charged by the Registrar-General of Land, as set out in the Land Transfer Act 2017, and the regulations thereunder.

Under the Retirement Villages (Fees) Regulations 2006, registration of Retirement Villages on property titles (regulation 4), notifying the Registrar of any changes to the property, building or premises comprising a retirement village (regulation 6), and any request to cancel the registration of a village (regulation 7) has prescribed fees equivalent to amounts charged by Land Information New Zealand (LINZ) under an outdated version of the Land Transfer Regulations 2018. These fees should align with the fees set routinely by LINZ for comparable transactions, currently set out in Schedule 7, Part 2 of the Land Transfer Regulations 2018.

It is likely that the Land Transfer Regulations 2018 will be reviewed and amended again in the future. To reflect the current fee and avoid a future misalignment of fees between the Retirement Villages

(Fees) Regulations 2006 and Land Transfer Regulations 2018, it is proposed that instead of stating a specific fee, the Retirement Villages regulations refer to fees charged by the Registrar-General of Land, as set out in the *Land Transfer Act 2017*²⁴ and the regulations made under the Act.

Method of payment

Currently the Retirement Villages (Fees) Regulations 2006 section 10 refers to how fees and penalties may be paid. We propose that fees and penalties can no longer be paid by cheque, in line with financial service providers and government departments phasing out cheque payments in 2021.²⁵

Insolvency Practitioners

Under the *Insolvency Practitioners Regulation Act 2019* the Companies Office is responsible for maintaining a register that captures key information about licensed insolvency practitioners that is provided to accredited bodies. The current fees and levy came into effect on 1 September 2020.

Section 4 proposes no change in the levy amount of \$1.00 that is collected from users on the Companies register. Table 24 below shows the proposed adjustments to current fees for insolvency practitioners.

Table 24: Proposed fees for Insolvency Practitioners register services

\$ (excluding GST)							
Insolvency Practitioners register	Unit Cost	Proposed fee	Proposed levies	Proposed total charge	Current charge (fee)	Change in charge	% change
Licence registration	186.21	185.00	-	185.00	165.00	20.00	12%
Annual confirmation	68.45	70.00	-	70.00	105.00	(35.00)	(33%)

Registration and annual return fees

The registration fee was first established using the higher volume of practitioners becoming licensed under the *Insolvency Practitioners Regulation Act 2019*. Now that the scheme has been established the register operating cost is less than forecast, but the annual forecast of new practitioners has also decreased resulting in a proposed increased registration fee. On the other hand, overall, there are more practitioners licensed than forecast, with reduced operating costs related to the annual confirmation process resulting in a proposed decrease in the annual confirmation fee.

Auditors

Under the *Auditor Regulation Act 2011* the Companies Office is responsible for maintaining a register that captures key information of licensed auditors received from accredited bodies. The fees have not been adjusted since 2011. The proposed fees in Table 25 on the next page reflect the general increase of the cost of the service since that time.

Table 25: Proposed fees for Auditors register services

²⁴ <https://www.legislation.govt.nz/act/public/2017/0030/latest/whole.html>

²⁵ The Ministry of Justice stopped processing incoming and outgoing cheques after 31 May 2021: <https://www.justice.govt.nz/about/news-and-media/news/the-ministry-is-phasing-out-payment-by-cheque/>

\$ (excluding GST)							
Auditors register	Unit Cost	Proposed fee	Proposed levies	Proposed total charge	Current charge (fee)	Change in charge	% change
Registration/renewal of a licence	349.47	350.00	-	350.00	304.35	45.65	15%
Annual confirmation	122.39	122.00	-	122.00	95.65	26.35	28%

Appendix 1: Summary of questions

Questions for Submitters:		
Cost recovery structure	1	What is your view on a mixed cost recovery structure of fees (for specific services) and levies (for fixed shared costs), and the types of costs allocated to fees and levies?
	2	Are there any other options you would like to see considered to recover shared costs from users?
Levies		
Companies Office (CO) levy	3	What is your view on who should be charged the CO levy and the type of shared costs the levy will recover?
	4	What impact will paying an annual levy of \$15.00 have on your business or organisation?
New Zealand Business Number (NZBN) levy	5	What is your view on who should be charged the NZBN levy and the costs the levy will recover?
	6	What impact will paying an annual levy of \$12.00 have on your business or organisation?
Fees by register		
All registers	7	What impact would the proposed total charge have on your business or organisation?
	8	Are there any adjustments to the proposed fees(s) that you think should be reconsidered? If yes, which fee(s) and why?
	9	Do you think the reasons for proposed adjustments to the fee(s) are clear and understandable? If not, why not?
Incorporated Societies register	10	What effect would the proposed total charge have on your organisation?
	11	Are there any adjustments to the proposed fees(s) that you think should be reconsidered? If yes, which fee(s) and why?
	12	Do you think the reasons for proposed adjustments to the fee(s) are clear and understandable? If not, why not?

Appendix 2: Summary of proposed fees and levies

Proposed Companies Office fees and levies set to recover \$42 million expenditure

\$ (excluding GST)						
Register and Service Type	Unit Cost	Proposed fee	Proposed levies	Proposed total charge	Current charge (fee + levy)	Change in charge
Companies register						
Name approval	10.85	11.00	-	11.00	10.00	1.00
Company incorporation ^{26**}	55.28	55.00	28.00	83.00	91.00	(8.00)
Annual return ^{26**}	8.62	9.00	28.00	37.00	22.00	15.00
Annual return – API ^{26**}	5.90	6.00	28.00	34.00	19.00	15.00
Amalgamation	742.56	745.00	-	745.00	350.00	395.00
Restoration	225.61	225.00	-	225.00	150.00	75.00
Personal Property Securities register						
Registration/renewal financing statement	7.88	8.00	-	8.00	14.00	(6.00)
Registration/renewal financing statement – API	4.87	5.00	-	5.00	7.00	(2.00)
Basic search – Internet	1.93	2.00	-	2.00	2.00	-
Basic search – API	1.03	1.00	-	1.00	1.00	-
Financial statements (Disclose and Companies registers)						
Financial statement filing	171.36	170.00	-	170.00	175.00	(5.00)
Disclose register						
Disclose: Managed fund offers						
Lodgement of product disclosure statement (per fund)	717.36	720.00	-	720.00	521.74	198.26
Add new fund to existing managed fund (limited disclosure)	717.36	720.00	-	720.00	521.74	198.26
Annual confirmation to managed fund (per fund)	717.36	720.00	-	720.00	521.74	198.26
Disclose: Other financial products						
Lodgement of product disclosure statement (per PDS)	3,749.91	3,750.00	-	3,750.00	2,347.83	1,402.17
Add limited disclosure to other financial product	3,749.91	3,750.00	-	3,750.00	2,347.83	1,402.17
Annual confirmation other financial products (per PDS)	3,749.91	3,750.00	-	3,750.00	2,347.83	1,402.17
Disclose: Managed investment schemes						
Register managed investment scheme or governing document	1,247.42	1,245.00	-	1,245.00	673.91	571.09
File scheme annual report	295.32	295.00	-	295.00	239.13	55.87
**CO levy \$15.00, NZBN levy \$12.00, IP levy \$1.00.						

²⁶ New Zealand and overseas companies

\$ (excluding GST)						
Register and Service Type	Unit Cost	Proposed fee	Proposed levies	Proposed total charge	Current charge (fee + levy)	Change in charge
Disclose register						
Disclose: overseas offers						
Offer under Asia region funds passport (per fund)	717.36	720.00	-	720.00	521.74	198.26
Financial Service Providers register						
Registration	284.39	285.00	-	285.00	300.00	(15.00)
Annual renewal	75.61	75.00	-	75.00	75.00	-
Incorporated Societies register						
Registration [#]	44.22	45.00	27.00	72.00	88.89	(16.89)
Annual return [#]	9.00	9.00	27.00	36.00	-	36.00
Restoration	224.87	225.00	-	225.00	177.78	47.22
Amalgamation	225.00	225.00	-	225.00	-	225.00
Conversion to be an incorporated society [#]	44.22	45.00	27.00	72.00	-	72.00
Limited Partnerships register						
Registration (New Zealand and overseas) [#]	387.94	388.00	27.00	415.00	217.39	197.61
Annual return (New Zealand and overseas) [#]	-	-	27.00	27.00	-	27.00
Building Societies, Friendly Societies and Credit Unions registers						
Registration [#]	149.73	150.00	27.00	177.00	217.39	(40.39)
Annual return [#]	9.01	9.00	27.00	36.00	34.78	1.22
Annual return – Friendly society branch [#]	9.01	9.00	27.00	36.00	34.78	1.22
Registration of an Association of credit unions under section 145(1) of the Friendly Societies and Credit Unions Act [#]	149.73	150.00	27.00	177.00	355.56	(178.56)
Credit Unions register						
For filing, under section 140 (2)(b) the Act, where a request to the Registrar is made to remove the credit union from the register.	311.11	-	-	310.00	-	310.00
For filing, under section 135C (2) of the Act, a copy of a special resolution passed for the purpose of amalgamation or transfer of engagements.	355.56	-	-	350.00	-	350.00
[#] CO levy \$15.00, NZBN levy \$12.00						

\$ (excluding GST)						
Register and Service Type	Unit Cost	Proposed fee	Proposed levies	Proposed total charge	Current charge (fee + levy)	Change in charge
Friendly Societies register						
For filing, under section 82(3) of the Act, a copy of a special resolution passed for the purpose of amalgamation or transfer of engagements or conversion into a company.	133.33	135.00	-	135.00	133.33	1.67
For filing a resolution for conversion of a society into a branch under section 88 of the Act.	177.78	175.00	-	175.00	177.78	(2.78)
For any cancellation or suspension of the registration of a society or branch under any of paragraphs (d) to (g) of section 92(1) of the Act.	133.33	135.00	-	135.00	133.33	1.67
For filing an instrument of dissolution under section 94 of the Act.	311.11	310.00	-	310.00	311.11	(1.11)
Retirement Villages register						
Registration application	643.05	645.00	-	645.00	782.61	(137.61)
Annual return (< 34 units)^	-	370.00	-	370.00	347.83	22.17
Annual return (35 – 84 units)^	634.91	620.00	-	620.00	565.22	54.78
Annual return (> 85 units)^	-	1,270.00	-	1,270.00	1,130.43	139.57
Insolvency Practitioners register						
Licence registration	186.21	185.00	-	185.00	165.00	20.00
Annual confirmation	68.45	70.00	-	70.00	105.00	(35.00)
Auditors register						
Registration/renewal of a licence	349.47	350.00	-	350.00	304.35	45.65
Annual confirmation	122.39	122.00	-	122.00	95.65	26.35
^includes the financial statement filing cost of \$170.00						

Retirement Villages – Land transfer fees

It is proposed that sections 4 (b)(c), 6 (a)-(c) and 7 of the Retirement Villages (Fees) Regulations 2006 are amended to refer to fees charged by the Registrar-General of Land, as set out in the Land Transfer Act 2017, and the regulations thereunder.

Appendix 3: Forecast annual volumes by register to determine unit costs

Register Service	Annual volumes
Companies register	
Company incorporation	58,466
Annual return	558,350
Annual return – API	83,432
Name approval	95,663
Amalgamation	379
Restoration	1,171
Personal Property Securities register	
Registration/renewal financing statement	85,000
Registration/renewal financing statement – API	460,000
Basic search – internet	570,000
Basic search – API	3,200,000
Financial statements	
Financial statement filing	3,533
Disclose register	
<i>Disclose: Managed fund offers</i>	
Lodgement of product disclosure statement (per fund)	70
Annual confirmation to managed fund (per fund)	1,060
<i>Disclose: Other financial products</i>	
Lodgement of product disclosure statement (per PDS)	20
Annual confirmation other financial products (per PDS)	94
<i>Disclose: Managed investment schemes</i>	
Register managed investment scheme or governing document	6
File scheme annual report	473
<i>Disclose: overseas offers</i>	
Offer under Asia region funds passport (per fund)	1
Financial Service Providers register	
Registration	1,602
Annual renewal	12,449
Retirement Villages register	
Registration application	12
Annual return (< 34 units)	189
Annual return (35 – 84 units)	122
Annual return (> 85 units)	227
Incorporated Societies register	
Registration	721
Annual return	18,271
Restoration	250

Register Service		Annual volumes
Limited Partnerships register		
Registration		381
Annual return		4,667
Friendly Societies register/Credit Unions register/Building Societies register		
Registration		6
Annual return		72
Insolvency Practitioners register		
Licence registration		11
Annual confirmation		110
Auditors register		
Registration/renewal of a licence		32
Annual confirmation		186
Levies		
CO levy		724,376
NZBN levy		724,376
IP levy		700,247

Appendix 4: Summary of fees to be revoked and other minor changes

Description of service	Current fee – \$ (GST exclusive)	Reason for revoking
Companies register		
Photocopy made by the public	0.17	Service no longer provided.
Photocopy made by the Registrar	0.89	Service no longer provided.
For any other electronic search	4.44	This fee was established for web-based searching for finance statements under the <i>Personal Property Securities Act 1999</i> . The service is no longer provided.
Manual search of the Companies register	8.89	Service no longer provided because Companies register is an online register only.
Personal Property Securities register		
Verification statement by post	8.89	Service no longer provided.
Certified copy of finance statement	22.22	Service no longer provided. This fee was similarly revoked in 2017 for the Companies register.
Limited Partnerships register		
Certified copy of finance statement	22.22	Service no longer provided
Friendly Societies and Credit Unions register		
Copy per page under section 5(4) of the Friendly Societies and Credit Unions (Fees) Regulations 1992.	0.27	Service no longer provided.
Annual return filed more than 3 months after close of the financial year (Part 1 and Part 2 of the Friendly Societies and Credit Unions (Fees) Regulations 1992).	17.78	An overdue fee is not applied to other annual return filings for other registers.
On application for confirmation of an amalgamation, transfer of engagements, or conversion into a company under section 86(1) of the Act	355.56	This service has not been provided in 25 years, as the Registrar has not received an application under this section and it is anticipated that this service can be managed with no additional fee.
For filing an instrument of dissolution under section 94 (as applied by section 140(1)) of the Act.	311.11	Following an amendment to the Act in 2019, credit unions cannot be removed from the register by filing an instrument of dissolution.
For filing, under section 82(3) (as applied by section 135(4) of the Act, a copy of a special resolution passed for the purpose of amalgamation or transfer of engagements.	133.33	The description of the fee in regulations no longer matches the changes made to the Act in 2019.

On application for confirmation of an amalgamation or transfer under section 136(1) of the Act	355.56	The service has not been provided in 25 years. There are only 3 remaining credit unions, therefore it is anticipated that this service can be managed with no additional fee.
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